

S.C.

Notice of Allowability	Application No.	Applicant(s)	
	09/710,394	WU, SHOW-MEAN	
	Examiner	Art Unit	
	Sandra M. Nolan	1772	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the responses dated 24 June and 22 September 2004.
2. ☒ The allowed claim(s) is/are 1,3, 5-9, 11-13, 15, 16, 18, 19 and 21-33.
3. ☒ The drawings filed on 10 November 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input checked="" type="checkbox"/> Other <u>See Continuation Sheet below.</u> |

S.M. Nolan

**SANDRA M. NOLAN
PRIMARY EXAMINER**

U.S. Patent and Trademark Office
PTOL-37 (Rev. 1-04)

Notice of Allowability

Part of Paper No./Mail Date 2004092

Continuation of Attachment(s) 9. Other: Supplemental Amendment of 9-22-04.

ENTRY OF SUPPLEMENTAL AMENDMENT

1. The supplemental amendment of 22 September 2004 has been entered. It was Rightfaxed to the examiner at her request.
2. Allowed claims 1, 3, 5-9, 11-13, 15-16, 18-19 and 21-33 are recited therein.

REASONS FOR ALLOWANCE

3. The following is an examiner's statement of reasons for allowance:
4. The independent claims of the application are claims 1, 5, 9, 13, 16, 19, 22, 24, 26, 28, 30, and 32. They can be summarized as follows:

Claim 1 covers a catheter balloon material formed from a blend of polymers comprising:

-about 50-98% by weight of a first polyurethane having a glass transition temperature of -37 to 10 degrees C, and

-about 5-50% by weight of a second polyurethane having a glass transition temperature of 20 to 31 degrees C.

Claim 5 covers a catheter balloon material formed from a blend of polymers comprising:

-about 70-90% by weight of a first polyurethane having a glass transition temperature of -37 to 10 degrees C, and

-about 10-30% by weight of a second polyurethane having a glass transition temperature of 20 to 31 degrees C.

Claim 9 covers a catheter balloon material formed from a blend of polymers comprising:

- about 15-30% by weight of a first polyurethane having a glass transition temperature of 0 to 10 degrees C, and

- about 70-85% by weight of a second polyurethane having a glass transition temperature of 65 to 100 degrees C.

Claim 13 covers a catheter balloon material formed from a blend of polymers comprising:

- about 50-95% by weight of a first polyurethane having a Shore D hardness in the range of 55 to 75, and

- about 10-30% by weight of a second polyurethane having a Shore D hardness of 70 to 85.

Claim 16 covers a catheter balloon material formed from a blend comprising:

- about 70-90% by weight of a first polyurethane having a Shore D hardness in the range of 45 to 70, and

- about 5-50% by weight of a second polyurethane having a Shore D hardness of 54 to 78.

Claim 19 covers a catheter balloon material including a blend comprising:

- about 15-30% by weight of a first polyurethane having a Shore D hardness in the range of 70 to 85, and

- about 70-85% by weight of a second polyurethane having a Shore D hardness of 75 to 87.

Claim 22 covers a catheter balloon material formed from a composition comprising:

- about 50-95% by weight of a first polyurethane having a glass transition temperature of -37 to 10 degrees C, and

- about 5-50% by weight of a second polyurethane having a glass transition temperature of 20 to 31 degrees C.

Claim 24 covers a catheter balloon formed from a polymeric composition comprising:

- about 70-90% of a first polyurethane having a glass transition temperature of 0 to 10 degrees C, and

- about 5-50% of a second polyurethane having a glass transition temperature of 20 to 32 degrees C.

Claim 26 covers a catheter balloon formed from a polymeric composition comprising:

- about 15-30% of a first polyurethane having a glass transition temperature of 0 to 10 degrees C, and

- about 70-85% of a second polyurethane having a glass transition in the range of 65 to 100 degrees C.

Claim 28 covers a catheter balloon formed from a composition comprising:

- about 50 to 95% of a first polyurethane with a Shore D hardness of 45 to 70, and

- about 5-50% of a second polyurethane having a Shore D hardness of 54 to 78.

Claim 30 covers a catheter balloon formed from a polymeric composition comprising:

- about 70 to 90% of a first polyurethane with a Shore D hardness of 55 to 75 and
- about 10-30% of a second polyurethane having a Shore D hardness of 70 to 85.

Claim 32 covers a catheter balloon formed from a composition comprising:

- about 15-30% by weight of a first polyurethane having a Shore D hardness of 70 to 85 and
- about 70-85% of a second polyurethane having a Shore D hardness of 75 to 87.

5. The prior art of record fails to teach or suggest catheter balloon materials or catheter balloons made from mixtures of polyurethanes in which the polyurethanes have the glass transition/hardness properties recited in the base claims.

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication should be addressed to Sandra M. Nolan, at telephone number 571/272-1495. She can normally be reached Monday through Thursday, from 6:30 am to 4:00 pm, Eastern Time.

Application/Control Number: 09/710,394

Page 6

Art Unit: 1772

If attempts to reach the examiner are unsuccessful, her supervisor, Harold Pyon, can be reached at 571/272-1498.

The fax number for patent application documents is 703/872-9306.



S. M. Nolan
Primary Examiner
Technology Center 1700

09710394(20040923)

**SANDRA M. NOLAN
PRIMARY EXAMINER**